

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-071307

10/05/2011

COMMISSIONER THOMAS KAPIO

CLERK OF THE COURT  
W. Brown  
Deputy

IN RE THE MARRIAGE OF  
JOHN WILLIAM SMEJKAL

JOHN WILLIAM SMEJKAL  
28611 N 255TH AVE  
WITTMANN AZ 85326

AND

REBECCA KATHLEEN SMEJKAL

REBECCA KATHLEEN SMEJKAL  
605 W TRAILS END  
COTTONWOOD AZ 86326

FAMILY COURT SERVICES-CCC

MINUTE ENTRY

Courtroom 301, Central Court Building

9:26 a.m. This is the time set for Default Hearing regarding Petitioner's Petition for Dissolution of a Non-Covenant Marriage with Children filed on July 29, 2011. Petitioner, John William Smejkal, is present on his own behalf. Respondent, Rebecca Kathleen Smejkal, is present on her own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

William Smejkal is sworn and testifies.

Rebecca Kathleen Smejkal is sworn and testifies.

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LET THE RECORD REFLECT that both parties sign the Parenting Plan in open court.

THE COURT NOTES that the Petition for Dissolution contains a request for Petitioner to pay spousal maintenance to Respondent in the amount of \$200.00 per month for a period of 12 months.

Based on the testimony presented,

THE COURT FINDS that Respondent meets the qualifications for spousal maintenance under A.R.S. §25-319. Despite Respondent's employment, Respondent works limited numbers of hours, which she testified she earns \$13.00 per hour as a CNA and works approximately 20 hours a week.

THE COURT FURTHER FINDS that Respondent is eligible for spousal maintenance under the statute.

THE COURT FURTHER FINDS that the amount of \$200.00 per month and the duration of 12 months to be reasonable.

IT IS ORDERED GRANTING Petitioner's request for spousal maintenance as contained in the Petition.

IT IS FURTHER ORDERED that **Petitioner** shall pay spousal maintenance to Respondent in the amount of **\$200.00** per month for a period of **12 months**, commencing **November 1, 2011**, as set forth in the Decree of Dissolution. All payments of spousal maintenance shall be paid **directly** to Respondent by Petitioner.

THE COURT NOTES that the Child Support Worksheet reflects that Petitioner/Father is obligated to pay \$273.85 per month for child support in accordance with the Arizona Child Support Guidelines. This worksheet includes the amount of \$200.00 per month for spousal maintenance.

THE COURT FINDS that the parties have an agreement to deviate the amount calculated for child support of \$273.85 to \$500.00. The Court approves of the upwards deviation. A deviation upwards is in the best interest of the minor child.

IT IS ORDERED that **Petitioner/Father** shall pay child support to Respondent/Mother in the amount of **\$500.00** per month, commencing **November 1, 2011**, by wage assignment all in accordance with the formal written Child Support Order signed by the Court on October 5, 2011, and entered (filed) by the Clerk on October 5, 2011.

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LET THE RECORD REFLECT that an Order of Assignment is initiated electronically by Family Court Services.

**Until the Order of Assignment becomes effective with an employer and monies are actually deducted from the paycheck and directed to the Support Payment Clearinghouse, it shall be the responsibility of the parent obligated to pay support to pay the Support Payment Clearinghouse directly at P.O. Box 52107, Phoenix, AZ 85072.**

IT IS FURTHER ORDERED dissolving the parties' marriage all in accordance with the formal written Decree of Dissolution of a Non-Covenant Marriage with Children signed by the Court on October 5, 2011, and filed (entered) by the Clerk on October 5, 2011.

FILED: Child Support Worksheet and Parenting Plan.

RESOLVED: Dissolution of marriage; child custody, parenting time, and child support; spousal maintenance; property, debts, and tax returns; and tax exemption.

9:37 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

JOHN WILLIAM SMEJKAL: Non IV-D Payment Instructions